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107TH CONGRESS
1ST SESSION

H. R. 1129

To establish the High Performance Schools Program in the Department of Energy and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2001

Mr. UDALL of Colorado (for himself, Mr. BOEHLERT, Mr. GEORGE MILLER of California, Mr. BONIOR, Mr. ETHERIDGE, and Mr. HONDA) introduced the following bill; which was referred to the Committee on Education and the Workforce

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A BILL

To establish the High Performance Schools Program in the Department of Energy and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''High Performance Schools Act of 2001''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) American K–12 schools spend over $6 billion annually on energy costs, which is more than is spent on books and computers combined.

(2) Educators teach and students learn best in an environment that is comfortable, healthy, naturally lit where possible, and in good repair, and studies have indicated that student achievement is greater and attendance higher when those conditions are met.

(3) Over half of our Nation's K–12 schools are more than 40 years old and in need of renovation to reach such standard of efficiency and comfort, and 6,000 new schools will be required over the next 10 years to accommodate the growing number of students.

(4) Inadequate ventilation in school buildings, poor lighting and acoustical quality, and uncomfortable temperatures can diminish students' capacity to concentrate and excel.

(5) Inefficient use of water, either in consumption or from poorly maintained systems, is prevalent in older schools.

(6) Using a whole building approach in the design of new schools and the renovation of existing schools—considering how materials, systems, and

products connect and overlap and also how a school is integrated on its site and within the surrounding community—will result in high performance school buildings.

(7) Adoption of whole building concepts has been shown to result in dramatic improvements in student and teacher performance.

(8) Adopting a whole building approach usually results in a lower life cycle cost for the school building than for a conventionally designed and built building.

(9) Systematic use of energy conservation in school construction and renovation projects can save at least one quarter of current energy costs, leaving more money for teachers and educational materials.

(10) The use of renewable energy sources such as daylighting, passive solar heating, photovoltaics, wind, geothermal, hydropower, and biomass power in a building already designed to be low-energy can help meet the building's energy needs without added emissions.

(11) Using environmentally preferable products and providing for adequate supplies of fresh air will improve indoor air quality and provide healthful school buildings.

(12) Most school districts do not have the knowledge of cutting-edge design and technologies to implement optimum efficiency into new school construction or into school renovations.

(b) PURPOSE.—It is the purpose of this Act to assist school districts in the production, through construction or renovation, of high performance elementary and secondary school buildings that are healthful, productive, energy efficient, and environmentally sound.

SEC. 3. PROGRAM ESTABLISHMENT AND ADMINISTRATION.

(a) ESTABLISHMENT.—There is established in the Department of Energy the High Performance Schools Program (in this Act referred to as the ''Program'').

(b) IN GENERAL.—The Secretary of Energy may, through the Program, make grants—

(1) to be provided to school districts to implement the purpose of this Act for new and existing school buildings;

(2) to State energy offices to administer the program of assistance to school districts pursuant to this Act; and

(3) to State energy offices to promote participation by school districts in the program established by this Act.

(c) GRANTS TO ASSIST SCHOOL DISTRICTS.—Grants under subsection (b)(1) for new school buildings shall be used to achieve energy efficiency performance that reduces energy use at least 30 percent below that of a school constructed in compliance with standards prescribed in Chapter 8 of the 2000 International Energy Conservation Code, or a similar State code intended to achieve substantially equivalent results. Grants under subsection (b)(1) for existing school buildings shall be used to achieve energy efficiency performance that reduces energy use below the school's baseline consumption, assuming a 3-year, weather-normalized average for calculating such baseline. Grants under subsection (b)(1) shall be made to school districts that have—

(1) demonstrated a need for such grants in order to respond appropriately to increasing elementary and secondary school enrollments or to make major investments in renovation of school facilities; and

(2) made a commitment to use the grant funds to develop high performance school buildings in accordance with the plan developed and approved pursuant to subsection (e)(1).

(d) OTHER GRANTS.—

(1) GRANTS FOR ADMINISTRATION.—Grants under subsection (b)(2) shall be used to evaluate compliance by school districts with requirements of this Act and in addition may be used for—

(A) distributing information and materials to clearly define and promote the development of high performance school buildings for both new and existing facilities;

(B) organizing and conducting programs for school board members, school district personnel, architects, engineers, and others to advance the concepts of high performance school buildings;

(C) obtaining technical services and assistance in planning and designing high performance school buildings; and

(D) collecting and monitoring data and information pertaining to the high performance school building projects.

(2) GRANTS TO PROMOTE PARTICIPATION.—Grants under subsection (b)(3) may be used for promotional and marketing activities, including facilitating private and public financing, promoting the use of energy service companies, working with school

administrations, students, and communities, and coordinating public benefit programs.

(e) IMPLEMENTATION.—

(1) PLANS.—Grants under subsection (b)(1) shall be provided only to school districts that, in consultation with State offices of energy and education, have developed plans that the State energy office determines to be feasible and appropriate in order to achieve the purposes for which such grants are made.

(2) SUPPLEMENTING GRANT FUNDS.—The State energy office shall encourage qualifying school districts to supplement their grant funds with funds from other sources in the implementation of their plans.

SEC. 4. ALLOCATION OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (c), funds appropriated to carry out this Act shall be provided to State energy offices.

(b) PURPOSES.—Except as provided in subsection (c), funds appropriated to carry out this Act shall be allocated as follows:

(1) Seventy percent shall be used to make grants under section 3(b)(1).

(2) Fifteen percent shall be used to make grants under section 3(b)(2).

(3) Fifteen percent shall be used to make grants under section 3(b)(3).

(c) OTHER FUNDS.—The Secretary of Energy may retain not to exceed $300,000 per year from amounts appropriated under section 5 to assist State energy offices in coordinating and implementing the Program. Such funds may be used to develop reference materials to further define the principles and criteria to achieve high performance school buildings.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Energy to carry out this Act $200,000,000 for each of fiscal years 2002 through 2005, and such sums as may be necessary for each of fiscal years 2006 through 2011.

SEC. 6. REPORT TO CONGRESS.

The Secretary of Energy shall conduct a biennial review of State actions implementing this Act, and the Secretary shall report to Congress on the results of such reviews. In conducting such reviews, the Secretary shall assess the effectiveness of the calculation procedures used by the States in establishing eligibility of schools for funding under this Act, and may assess other aspects of the

program to determine whether they have been effectively implemented.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) ELEMENTARY AND SECONDARY SCHOOL.—The terms ''elementary school'' and ''secondary school'' shall have the same meaning given such terms in paragraphs (14) and (26) of section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(14), (26)).

(2) HIGH PERFORMANCE SCHOOL BUILDING.—The term ''high performance school building'' means a school building which, in its design, construction, operation, and maintenance, maximizes use of renewable energy and energy efficient practices, is cost-effective on a life cycle basis, uses affordable, environmentally preferable, durable materials, enhances indoor environmental quality, protects and conserves water, and optimizes site potential.

(3) RENEWABLE ENERGY.—The term ''renewable energy'' means energy produced by solar, wind, geothermal, hydroelectric, or biomass power.

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